

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

08 Cr. 826 (RMB)

- against -

AAFIA SIDDIQUI,

Defendant.

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**NOTICE OF DEFENDANT AAFIA SIDDIQUI'S
OMNIBUS PRETRIAL MOTIONS**

PLEASE TAKE NOTICE, that upon the annexed Declaration of Chad L. Edgar, and the accompanying Memorandum of Law, the undersigned, on behalf of defendant Aafia Siddiqui, will move this Court, at a session to be held before the Honorable Richard M. Berman, at the Moynihan Federal Courthouse, located at 500 Pearl Street, New York, New York, on September 29, 2009 at 2:30 p.m., for an order granting the following relief:

- (1) Dismissal of Count One of the Indictment based on the government's failure to obtain timely certification for a violation of 18 U.S.C. § 2332(b) according to the express terms of 18 U.S.C. § 2332(d);
- (2) Dismissal of Counts Two Through Seven of the Indictment because they are based on the extraterritorial application of a statute – namely 18 U.S.C. § 1114 – that does not contemplate a violation involving members of the uniformed services during wartime in a theater of war;

- (3) Striking paragraphs One through Four of the Indictment as these paragraphs improperly allege uncharged criminal conduct;
- (4) the suppression of all statements for the purposes of the trial in the above-captioned proceeding that defendant Aafia Siddiqui allegedly made while in the custody of the police in Afghanistan in or around July 17, 2008 to July 18, 2008 and while in custody of the Federal Bureau of Investigation from July 18, 2008 to August 4, 2008;
- (5) order directed at the Bureau of Prison that permits defendant Aafia Siddiqui to meet and confer with her attorneys at the Metropolitan Detention Center in Brooklyn without having to undergo strip searches either before or after a meeting with any of her attorneys;
- (6) permitting defendant Aafia Siddiqui to submit additional motions should circumstances or additional discovery provided by the government necessitate same.

Dated: New York, New York
September 8, 2009

Respectfully submitted,

DAWN M. CARDI & ASSOCIATES

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TO: Christopher LaVigne (by ECF)
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